

**AMENDMENTS TO THE DRAWINGS**

*Attached are two replacement drawing sheets including Figs. 1 and 7 which should replace the original drawing sheets including Figs. 1 and 7. Fig. 1 is amended to add "3" and Fig. 7 is amended to add "25".*

### REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

By this Amendment, Claims 1, 5-7, 10, 17, 19 and 22 are amended, Claims 26-29 are added, and Claims 4 and 11 are canceled without prejudice to or disclaimer of the subject matter recited therein. Thus, Claims 1-3, 5-10 and 12-29 are pending in this application. The specification and Figs. 1 and 7 also are amended to correct minor informalities. Independents Claims 1 and 19 are amended to incorporate the subject matter of Claim 4. Support for new Claims 26-29 can be found, for example, on page 2, lines 1-15. No new matter is added.

Applicant appreciates Examiner Heitbrink's indication that Claims 6, 10 and 14 recite allowable subject matter, and would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Applicant submits that all pending claims are allowable for the reasons discussed below.

Examiner Bosworth is kindly thanked for pointing out, on page 2 of the Official Action, an minor informality in the drawings. Fig. 7 is amended to show the hydraulic cylinder. Thus, withdrawal of the objection is respectfully requested.

Claims 1, 10, 17 and 22 are amended to obviate the rejection of Claims 9, 10, 17 and 22 under 35 U.S.C. §112, second paragraph. Thus, withdrawal of the rejection is respectfully requested.

The Official Action rejects independent Claims 1 and 19 under 35 U.S.C. §102(b) over Farkas, U.S. Patent No. 3,881,855.

Independent Claim 1 is directed to a device for forming injection moulded plastic articles. The device comprises, *inter alia*, means for opening and closing outer mould tools around an inner mould tool, and arranged to move the outer mould tools in a first direction which is radial in relation to the hub and a second direction which is perpendicular to the first direction and directed in the plane of the circular movement of the inner mould tool. The means for opening and closing outer mould tools around an inner mould tool move the outer mould tools so that their central axes coincide throughout the movement. The means comprise a pair of levers each having one end and an other end, the one end of each lever being pivotably attached to one of the outer mold tools and the other end pivotably attached to a mounting part of support device.

Independent Claim 19 is directed to a method of opening and closing a partible mould in an injection moulding device. The method includes *inter alia*, moving outer mould tools in a first direction and a second direction with pivotable levers, each lever having one end and an other end, the one end of each lever being pivotably attached to one of the outer mold tools and the other end pivotably attached to a mounting part of support device. The first direction is radial in relation to the hub, and the second direction is perpendicular to the first direction and directed in a plane of circular movement of the inner mould tool. The outer mould tools are moved so that their central axes coincide throughout the movement.

Farkas discloses an injection blow molding apparatus that includes a plurality of blow cavity molds 46, and an injection cavity mold 30 mounted on a "walking beam" 54 (see Figs. 1-4). The injection cavity mold 30 includes a plurality of cavities 90 formed by blocks 98, 100 (said to correspond to the claimed outer moulds) that

come together to form the cavity walls (see Figs. 5 and 6; col. 4, lines 55-64). The cavity blocks 98, 100 have inclined slots 106 which accommodate cams that move the cavity blocks 98, 100 to and from each other to open and close the cavity 90 (see Figs. 5 and 6 and col. 4, line 65 to col. 5, line 10). The Office Action acknowledges that Farkas fails to disclose that the cams of Farkas comprise pivotable levers, as now recited in independent Claims 1 and 19. The Official Action in paragraph "12" on pages 4 and 5 takes the position that Farkas' air operated toggles 134 (see Figs. 5 and 6) are pivotable levers, and that because Farkas uses these "levers" to open and close blow cavity shell 78, it would have been obvious to use such levers to move the cavity blocks 98, 100 to open and close the cavity 90. Applicant respectfully disagrees.

As discussed above, Farkas discloses that cams accommodated in inclined slots 106 of the cavity blocks 98, 100 move the cavity blocks 98, 100 to and from each other to open and close the cavity 90. If the cams were replaced with pivotable levers, with each lever having one end pivotably attached to one of the cavity block and the other end pivotably attached to a mounting part of the support block 104, the cavity blocks 98, 100 would not be able to move to and from each other due to the abutment with neck ring 160 (see Figs. 5 and 6 and col. 5, lines 10-12). That is, neck ring 160 would prevent the cavity blocks 98, 100 from pivoting open when the injection cavity mold 30 is aligned with and locked to the blow cavity mold 46 (see col. 3, line 63 to col. 4, line 1). The modification proposed by the Office Action would render the injection cavity mold 30 unsatisfactory for its intended purpose (MPEP §2143.01(V)). In addition, because of the abutment with neck ring 160, the proposed modification would not result in the outer mould tools being moved in a first direction

which is radial in relation to the hub and a second direction which is perpendicular to the first direction and directed in the plane of the circular movement of the inner mould tool, as recited in Claims 1 and 19. One skilled in the art would not make such a modification to Farkas. The Office Action fails to consider the reference and claims as a whole and relies on impermissible hindsight using knowledge gleaned only from Applicant's disclosure (see MPEP §2145(X)(A)). Accordingly, it would not have been obvious to modify the cavity blocks 98, 100 in Farkas to replace the cams with pivotable levers, each having one end and an other end, the one end of each lever being pivotably attached to one of the outer mold tools and the other end pivotably attached to a mounting part of support device, as recited in independent Claim 1 and similarly recited in independent Claim 19. Thus, independent Claims 1 and 19 are patentable over Farkas.

Claims 2, 3, 5, 7-9, 12, 13, 15-18 and 20-25 are patentable over Farkas at least by virtue of their dependence from patentable independent Claims 1 and 19, respectively. Thus, a detailed discussion of the additional distinguishing features recited in these dependent claims is not set forth at this time.

New independent Claim 26 is presented for consideration and recites a method of producing a carton having a plastic top. The method comprises, *inter alia*, positioning a carton sleeve on a mandrel having an inner mould tool at an outer end of the mandrel, moving the mandrel with the carton sleeve to an outer mould tool, positioning the outer mould tool around the inner mould tool and carton sleeve by moving two halves of the outer mould tool, positioning the outer mould tool around the inner mould tool and carton sleeve by moving two halves of the outer mould tool, and injecting plastic material into the mould cavity to form a plastic top attached to an

end of the carton sleeve. Farkas fails to disclose positioning a carton sleeve on the mandrel and injecting plastic material into the mould cavity to form a plastic top attached to an end of the carton sleeve. Thus, independent Claim 26 is patentable over Farkas for at least these reasons.

New claims 27-29 are presented for consideration. These claims depend from independent method Claim 19 and respectively recite (a) positioning a carton sleeve on the inner mould tool, (b) positioning a carton sleeve into a mould cavity formed between the inner mould tool and the outer mould tool, and (c) injecting plastic material into the mould cavity to form a plastic top attached to an end of the carton sleeve. Farkas fails to disclose these steps.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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